

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-46 are pending in the application, with claims 1, 21, 34, 35, 36, 45, and 46 being the independent claims. Claims 1, 21, 34, 35, 36, 45, and 46 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 103***

**Claims 1-19, 21-32, and 34-46**

The Examiner has rejected claims 1-19, 21-32 and 34-46 under 35 U.S.C. § 103(a) as allegedly being obvious over WIPO Publication No. WO 01/77783 A2 to Russell et al. (“Russell”) in view of U.S. Patent No. 6,266,420 to Langford et al. (“Langford”) and further in view of U.S. Patent Application Publication No. 2002/0016922 to Richards et al. (“Richards”). Applicants respectfully traverse this rejection.

Claim 1 recites, *inter alia*, “the encrypted sub-header including access rules applicable to the user or to a group to which the user belongs for the secured item, the sub-header selected, from a group of individually encrypted sub-headers corresponding to other users or groups, based on the sub-header’s correspondence to the user or to the group to which the user belongs based on a corresponding user or group identifier.”

Support for this amendment is found, *inter alia*, at FIG. 2C.1 and paragraph [0068] of the as-filed Specification.

In rejecting claim 1, the Examiner cited to Langford and Richards as allegedly providing the necessary teaching or suggestion for the aforementioned features. The Examiner does not apply Russell to the aforementioned claim features, nor does Russell teach or suggest the aforementioned claim features.

Langford is directed to “a method for securing group communications with reduced message overhead.” (Langford, 2:36-38). This is accomplished by providing a header with a wrapped symmetric key for each group of users receiving the message, which a user can decrypt using the group’s private description key, using the symmetric key in turn to decrypt the message. (Langford, 2:47-54).

The Examiner argues that the identifier recited in claim 1 is analogous to identifying a corresponding copy of a wrapped key in Langford through the use of a *key identifier* associated with a recipient. (Office Action, p. 8) (emphasis added). However, this is different from “a corresponding *user or group identifier*,” as recited in amended claim 1. In particular, although Langford can use the techniques to send messages to members of a group (see, e.g., Langford, 1:59-62), there is no determination of a “sub-header’s correspondence to the user or to the group to which the user belongs *based on a corresponding user or group identifier*,” as recited in claim 1.

Moreover, the Examiner argues in the “Response to Arguments” section of the Office Action that Richards allegedly supplies the teaching of “access rules applicable to the user or to a group to which the user belongs,” as further recited in claim 1. (Office Action, p. 3). However, the Examiner bases this on “[t]he policy component 114 includes elements that define *recipient’s* access rights to the data,” and again not to any

“user or to the group to which the user belongs based on a corresponding user or group identifier.”

In claim 1, the access rules in question are located in the encrypted sub-header, which is itself selected “based on the sub-header’s correspondence to the user or to the group to which the user belongs based on a corresponding user or group identifier.” Accordingly, it is insufficient to allege that Langford teaches an identifier (which is, as noted, specifically not a user or group identifier), and to further allege that Richards teaches access rules applicable to a user (the message recipient, not identified by a user or group identifier), as this lacks applicability of the access rules based on correspondence to a “user or group identifier.”

As a result, even assuming, *arguendo*, that Langford teaches selection of a sub-header “based on the sub-header’s correspondence to the user or to the group to which the user belongs based on a corresponding user or group identifier” (which is not the case, as the cited key identifier is not the same as a user or group identifier), Richards cannot be used to supply the missing teaching of “the encrypted sub-header including access rules *applicable to the user or to a group to which the user belongs* for the secured item,” because no mechanism is present in the combination of Langford and Richards to associate access rules as applicable to “the user or to a group to which the user belongs.” In claim 1, this is accomplished by the presence of the access rules in the appropriate sub-header associated with a “user or group identifier”, but no such mechanism exists in the combination of Langford and Richards.

For at least the aforementioned reasons, claim 1 is not rendered obvious by the combination of Russell, Langford, and Richards. Claims 21, 34, 35, 36, 45, and 46 recite analogous features to claim 1, using respective language, and are likewise not rendered

obvious by the combination of Russell, Langford, and Richards for similar reasons to claim 1, and further in view of their own respective features. Claims 2-19, 22-32 and 37-44 each depend from one of claims 1, 21, and 36, and are likewise not rendered obvious by the combination of Russell, Langford, and Richards for at least the same reasons as claims 1, 21, and 36, and further in view of their own respective reasons.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1-19, 21-32 and 34-46 under 35 U.S.C. § 103(a).

**Claims 20 and 33**

The Examiner has rejected claims 20 and 33 under 35 U.S.C. § 103(a) as allegedly being obvious over Russell in view of Langford and Richards, further in view of U.S. Patent Application Publication No. 2003/0050919 to Brown *et al.* (“Brown”). Applicants respectfully traverse this rejection.

For the reasons presented above, claims 1 and 21 are not rendered obvious by the combination of Russell, Langford, and Richards. Brown does not supply the missing teaching or suggestion, nor does the Examiner rely on Brown to allegedly supply the missing teaching or suggestion. Accordingly, claims 1 and 21 are not rendered obvious by the combination of Russell, Langford, Richards, and Brown.

Claims 20 and 33 depend from claims 1 and 21, respectively, and are likewise not rendered obvious by the combination of Russell, Langford, Richards, and Brown for at least the same reasons as claims 1 and 21, and further in view of their own respective features.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 20 and 33 under 35 U.S.C. § 103(a).

***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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